

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

DAVID JACOBS and GARY HINDES, on behalf of themselves and all others similarly situated, and derivatively on behalf of the Federal National Mortgage Association and Federal Home Loan Mortgage Corporation,

*Plaintiffs,*

v.

THE FEDERAL HOUSING FINANCE AGENCY, in its capacity as Conservator of the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation, and THE UNITED STATES DEPARTMENT OF THE TREASURY,

*Defendants,*

and

THE FEDERAL NATIONAL MORTGAGE ASSOCIATION and THE FEDERAL HOME LOAN MORTGAGE CORPORATION,

*Nominal Defendants.*

Civil Action No.: 15-708-GMS

**CLASS ACTION**

**JURY TRIAL DEMANDED**

**PLAINTIFFS' NOTICE OF APPEAL**

Plaintiffs David Jacobs and Gary Hindes (collectively, "Plaintiffs") hereby give notice that they are taking this appeal to the United States Court of Appeals for the Third Circuit from this Court's Order granting Defendants Federal Housing Finance Agency's ("FHFA"), in its capacity as conservator of the Companies, and United States Department of the Treasury's ("Treasury") Motions to Dismiss (D.I. 81); and from any and all adverse rulings incorporated in, or antecedent to, or ancillary to the Court's Order, including the Court's November 27, 2017 Memorandum Opinion (D.I. 80) and the Court's denial of Plaintiffs' Motion For Judicial Notice

of Documents or, in the Alternative, to Strike Certain Arguments in Defendants' Briefing in Support of Their Motions to Dismiss (D.I. 75; *see* D.I. 80 at 15).

Included herewith is payment of the filing fee (\$5.00) and the docketing fee (\$500.00) as required by 28 U.S.C. §§ 1913 and 1917, Third Circuit Local Appellate Rules 3.3 and 39.2, Federal Rule of Appellate Procedure 3(e), and the United States District Court for the District of Delaware fee schedule (effective December 1, 2016).

POTTER ANDERSON & CORROON LLP

By: /s/ Myron T. Steele  
Myron T. Steele (DE Bar No. 000002)  
Michael A. Pittenger (DE Bar No. 3212)  
Christopher N. Kelly (DE Bar No. 5717)  
Alan R. Silverstein (DE Bar No. 5066)  
1313 North Market Street, 6<sup>th</sup> Floor  
Wilmington, DE 19801  
(302) 984-6000  
msteele@potteranderson.com  
mpittenger@potteranderson.com  
ckelly@potteranderson.com  
asilverstein@potteranderson.com

*Attorneys for Plaintiffs*

Dated: December 21, 2017

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